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Ronald Anthony Hatcher, Authorized Representative of  
AARON CHRISTIAN HATCHER, sui juris  
3220 Oaklawn Drive  
Decatur, Georgia [30034]  
non-domestic, without the U.S.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

Ronald Anthony Hatcher, Authorized Representative of  
AARON CHRISTIAN HATCHER, sui juris  
Plaintiff,

vs.

Members of the Fulton County School District, jointly  
and severally;  
Melanie Pickens,  
Katherine Dorn Durden,  
Vickie Perdue Scott,  
Paula Merritt,  
Dorothy A. Pettes,  
Frances Boyd,  
Dr. Edward Spurka,  
Brandon O. Moulard,  
Judge Henry Newkirk,  
Judge John Mather  
Defendants,

WRIT OF MANDAMUS

1:20-CV-3209

STATE OF GEORGIA  
SS}  
COUNTY OF FULTON

NOW COMES Plaintiff Ronald Hatcher (herein referred to as "Plaintiff"), and bring this action against the  
above-named Defendant, and alleges as follows based on personal knowledge, information and belief:

INTRODUCTION:

1. Plaintiff seeks relief in the form of Mandamus to compel the lower court to answer to the many  
inconsistencies in the lower court's record which swayed the Judge into granting summary judgment  
against the Plaintiff

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Ronald Anthony Hatcher Moorish American aka Rah Bey

2. Plaintiff further seeks an injunction preventing Defendants from

**JURISDICTION AND VENUE:**

1. The Court has jurisdiction to grant this Petition under 28 USC § 1361, “the district court shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.”
2. This court also has jurisdiction to grant this Petition under Ga. Code § 50-13-19, “Any person who has *exhausted all administrative remedies available within the agency and who is aggrieved by a final decision* in a contested case is entitled to judicial review under this chapter”.

**PARTIES:**

1. Linda Bryant is a member of the Fulton County School Board, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
2. Katie Reaves is a member of the Fulton County School Board, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
3. Gail Dean is a member of the Fulton County School Board, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
4. Linda McCain is a member of the Fulton County School Board, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
5. Catherine Maddox is a member of the Fulton County School Board, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
6. Julia Bernath is a member of the Fulton County School Board, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
7. Melanie Pickens is a former teacher at Hopewell Middle School in Fulton County, located at 13060 Cogburn Rd, Milton, Georgia 30004
8. Katherine Dorn Durden is a teacher at Roswell High School in Fulton County, located at DR. 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
9. Vickie Perdue Scott is a former Executive Director for Exceptional Children for Fulton County School District, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
10. Paula Merritt is a Former Special Education Liaison for Fulton County School District, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363

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11. Dorothy A. Pettes is a Special Education Coordinator for Fulton County School District, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
12. Frances Boyd is a former principal of Hopewell Middle School, being represented by Mozley, Finalayson & Loggins, located at 1050 Crown Pointe Parkway Suite 1500, Atlanta, Georgia 30338
13. Dr. Edward Spurka is a Former Principal of Roswell High School, located at 201 17th Street, NW Suite 1700, Atlanta, Georgia 30363
14. Jarrod H. Oxendine is the former retained attorney for the Plaintiff, and Managing Partner at Oxendine Law, LLC, located at 1325 Satellite Boulevard NW, Bldg. 600, Suite 606, Suwanee, Georgia 30024
15. Brandon O. Moulard was counsel for the Fulton County School District, and a partner for Nelson Mullins Riley & Scarborough, located at 201 17th Street NW, Suite 1700, Atlanta, Georgia 30363
16. Henry M. Newkirk is a judge for Atlanta Judicial Circuit of the 5th Superior Court District of Georgia, and was sitting on this case
17. John R. Mather is a judge of the Fulton County State Court in Georgia, and was sitting on this case

**STATEMENT OF FACTS:**

- I. On March 11, 2011, Aaron Christian Hatcher died as a result of hypoventilation predicated by the abuses of the Defendants, while under the care of the Fulton County School District (FCSD) located in Roswell Georgia
- II. On April 30, 2013, Plaintiff filed an initial Complaint for remedy with Jarrod H. Oxendine of Oxendine Law, LLC
- III. On October 4, 2013, this Court issued an Order denying Defendants' Motion for a More Definite Statement, to which the Defendants responded with a Motion for Judgment on the Pleadings on October 29, 2013, on the grounds of sovereign immunity
- IV. On January 8, 2014, this Court ruled that Defendants were not entitled to sovereign immunity
- V. On April 27, 2018, oral argument on Defendants' Motion for Summary Judgment proceeded
- VI. On September 11, 2018, the Court issued an order granting Defendants' Motion for Summary Judgment in full, and filed a Motion for Entry of Final Judgment on September 19, 2018
- VII. On September 27, 2018, the Plaintiff was notified of the ruling for Entry of Final Judgment via an email sent by Jarrod H. Oxendine offering an appeal filing

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- VIII. On October 02, 2018, during an in-person meeting held at 12:33pm at Oxendine Law, LLC's offices, Jarrod H. Oxendine offered a second retainer to allow him to continue to represent the matter, but failed to communicate that the previous contract was voided on September 19, 2018 due to the summary judgment ordered that day
- IX. On October 5, 2018, Plaintiff filed a Notice of Appeal with this Court but failed to file a motion in opposition to the entry of a final judgment, as they later learned they were unrepresented at this time, and the appeal effort was rendered invalid by the court due to failures of procedure
- X. On October 23, 2018, the Plaintiff received an Order of Final Judgment from the court, and learned the previous contract was voided on September 19, 2018 due to the summary judgment ordered that day
- XI. On December 3, 2018, Jarrod H. Oxendine notified Plaintiff of his withdrawal from the above-styled case and simultaneously filed suit for Attorneys fees against Plaintiff
- XII. A Scrivener's error was exposed by Jarrod H. Oxendine of an incorrect date displayed on the Order of Final Judgment and in Plaintiff's initial Appeal submission, showing September 27, 2018 instead of October 23, 2018
- XIII. On October 23, 2018, Plaintiff attempted to file an Amended Notice of Appeal
- XIV. On March 29, 2019, Plaintiff received an invitation by the court to submit a Brief specifying the errors and arguments that substantiate the trial Court's errors in granting Defendant's Order of Final Judgment
- XV. On August 12, 2019, the Georgia Court of Appeals denied Plaintiff's Appeal

**CLAIM ONE: MULTIPLE VERSIONS OF THE EVENTS OF MARCH 11, 2011**

- 1. The Fulton County School District has maintained multiple versions of the investigation into Aaron Christian Hatcher's death, as was given by statement under penalty of perjury by Melody Bray. These versions were entered into evidence as "draft", which is not concluded evidence of fact. Counsel for the Defendants also encouraged their clients to testify under oath to multiple versions of the same sworn affidavits. These versions differed greatly, and directly affected the outcome of the case.
- 2. Katherine Dorn Durden and Ron Wade's sworn affidavits are indistinguishable from each other, and were both drafted by Brandon O. Moulard. Evidence of this lies with the incorrect title of Katherine Dorn Durden as "Special Education Coordinator for the Fulton County School System" when she was at the time a Special Education teacher at Roswell High School. Therefore, the content of both affidavits are in question to their accuracy.

**CLAIM TWO: EXCULPATORY EVIDENCE WITHHELD**

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1. Audio recordings of the statements given by Fulton County School District's employees exists. These recordings were noticed to the court for consideration, but were not subpoenaed for review. Counsel for the Defendants opined that the recordings were "immaterial" to achieving justice in the matter.
2. Indexes for each item of evidence is not consistently present nor is presented in any sensible order, making navigating the case purposely difficult and unnecessarily tedious.
3. Katherine Dorn Durden created and employed a makeshift "fabric strap" designed to position the subject's neck after a meeting conducted at the school in 2010, but was actually a repurposed belt. Due to the means by which Aaron Christian Hatcher perished, this physical evidence was never presented to the court for consideration.

#### **CLAIM THREE: MISATTRIBUTION**

1. Plaintiff asserts that several testimonies have been spoiled by misattribution, in like manner to **In RE: Wilkinson, 284 GA 548, October 27, 2008** committed by counsel for the Defendants.
2. Brandon O. Moulard misattributed a detail involving the referral of abuses suffered by Aaron Christian Hatcher to DFACS offices as "later on" without specifying that "later on" translated to four years later. Abuse suffered by anyone is a time-sensitive matter, and both DFACS and the court know and understand that the established guidelines for reporting this incident were not adhered to, resulting in the gross negligence of the Fulton County School District.
3. Brandon O. Moulard also misattributed Frances Boyd's retirement as "resignation" in a blatant effort to appease the court for the School District's negligence and liability.

#### **CLAIM FOUR: UNAPPROVED METHODS OF CONTROL AND RESTRAINT**

1. The "fabric strap" created solely by Katherine Dorn Durden and used on Aaron Christian Hatcher was not previously approved by the School District for use on any of its students, and it was also not submitted for trials to use on any of its students.

#### **CLAIM FIVE: CRIMINAL NEGLIGENCE**

1. *Vital information was not communicated efficiently to alert Aaron Christian Hatcher's parents to his daily condition and progress (or regress) concerning his posture.*
2. Katherine Dorn Durden submitted sworn testimony that she believed "someone else would tell the parents", which is contrary to an agreement, to directly communicate with the parents and not through the nurse, after an in-person meeting with school staff concerning Aaron Christian Hatcher in 2010.
3. The referral to DFACS was made by the school's social worker, but was directed to Adult Protective Services to investigate. Adult Protective Services does not deal with teachers for ethics violations, so the

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matter was never followed up on by the agency. An email sent from Peter Montgomery from Adult Protective Services corroborates that there was no investigation as the case was closed.

4. Brandon O. Moulard admitted on the record that "Ms. Pickens has, in fact, abused a variety of the students in her care. That point is pretty much undisputed."

**CLAIM SIX: FAILURE OF DUE PROCESS**

1. Both Henry M. Newkirk and John R. Mather have failed the Plaintiff's search for justice by failing to investigate these matters to their fullest extent, especially being that the Plaintiff's son had died as the result of mistreatment. Several Canons of the Uniform Judicial Code of Conduct have been violated during cases 13EV017215 and 12SC115803.

**DEMAND:**

**WHEREFORE**, Plaintiff respectfully requests judgment and award against Defendants and that the Court grant the following relief:

- A. Remove Henry M. Newkirk from judicial service, on the grounds of negligence, in accordance with Ga. Code § 50-13-19
- B. Remove John R. Mather from judicial service, on the grounds of negligence, in accordance with Ga. Code § 50-13-19
- C. Sanction Brandon O. Moulard for multiple counts of misattribution of the Plaintiff during the course of this case, and not producing accurate and clearly independent testimonies of Defendants Katherine Dorn Durden and Ron Wade, in accordance with the Georgia Attorney Disciplinary Board, both of which have directly affected the outcome of the matter
- D. Charge and prosecute the members of the Fulton County School Board with criminal negligence, in accordance with GA Code § 16-2-1, to the extent of law allowed for the death of Aaron Christian Hatcher on March 11, 2011
- E. Charge and prosecute Melanie Pickens, Katherine Dorn Durden, Vickie Perdue Scott, Paula Merritt, Dorothy A. Pettes, Frances Boyd, and Dr. Edward Spurka, jointly and severally, for negligent homicide, in accordance with GA Title 16, Chapter 5, Article 1, for their individual and joint parts leading up to, and including the death of Aaron Christian Hatcher March 11, 2011
- F. Award Plaintiff for violation of oath of office (IAW 18 USC § 3571 and 28 USC § 3002(15)), committed by Henry M. Newkirk and John R. Mather \$250,000.00 from each individual, totaling \$500,000.00

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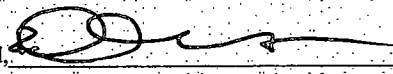
G. Award Plaintiff for denial of right to truth in evidence (IAW 18 USC § 3571), committed by the Fulton County School District \$250,000.00

H. Award Plaintiff for emotional distress (IAW 32 CFR § 536.77(a)(3)(vii)), committed by Henry M. Newkirk, John R. Mather, Brandon O. Moulard, the Fulton County School Board, Melanie Pickens, Katherine Dorn Durden, Vickie Perdue Scott, Paula Merritt, Dorothy A. Pettes, Frances Boyd, and Dr. Edward Spurka, \$200,000.00 each, totaling \$2,200,000.00

I. Award Plaintiff for mental anguish abuse (IAW 42 CFR § 488.301), committed by Henry M. Newkirk, John R. Mather, Brandon O. Moulard, the Fulton County School Board, Melanie Pickens, Katherine Dorn Durden, Vickie Perdue Scott, Paula Merritt, Dorothy A. Pettes, Frances Boyd, and Dr. Edward Spurka, \$200,000.00 each, totaling \$2,200,000.00

J. Award Plaintiff for neglect (IAW 18 USC § 1621 and 42 USC § 1986), committed by the members of the Fulton County School District \$200,000.00 each, totaling \$1,200,000.00

K. Award Plaintiff for malpractice (IAW 22 CFR § 13.3), committed by Brandon O. Moulard \$200,000.00

Respectfully submitted, 

(signature) without recourse

### NOTARY JURAT

Subscribed and sworn to (or affirmed) before me on this, 29<sup>th</sup> day of July month, 2020 year,

By Go Driver License, proved to me on the basis of satisfactory evidence to be the One who appeared before me.  
signature Ronald A. Hatcher (seal)

One, Ronald Hatcher, Affiant, a sentient living man, a third-party intervener occupant of the general executor office and beneficiary of the legal estate of AARON CHRISTIAN HATCHER, Estate, a.k.a. the legal person known as AARON CHRISTIAN HATCHER, the alleged defendant, moving sui juris on the land, and capitis diminutis maxima, media and minima not with-standing, declare under the penalty of perjury of the United States of America that the following facts are true, complete and not misleading to the best of my knowledge and belief. Executed this day day of month, year.

Reserving all rights and remedies, and waiving none  
Further the affiant sayeth naught

Prepared and submitted By  WITHOUT RECOURSE

WRIT OF HABEAS CORPUS 26 JUL 20

ronald anthony hatcher Moorish American aka RaB Bey

ronald anthony hatcher, a third-party intervener, occupant of  
the general executor office and beneficiary of the AARON  
CHRISTIAN HATCHER, Estate, a.k.a. AARON  
CHRISTIAN HATCHER, *allege* defendant, sui juris

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ronald anthony hatcher Moorish American aka Rah Bey

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CERTIFICATE OF SERVICE

I, ronald anthony hatcher I do hereby I have this day served the following with copy of this complaint to the court on this the 26 day of July, 2020

Linda Bryant, Member  
of Fulton County School Board  
201 17th Street, NW Suite 1700  
Atlanta, Georgia 30363

Katie Reaves, Individual Member  
of Fulton County School Board;  
201 17th Street, NW Suite 1700  
Atlanta, Georgia 30363

Gail Dean, Individually and as Member of  
Fulton County School Board  
201 17th Street, NW Suite 1700  
Atlanta, Georgia 30363

Linda McCain, Individual Member of  
Fulton County School Board;  
201 17th Street, NW Suite 1700  
Atlanta, Georgia 30363

Catherine Maddox, Individual  
and as Member of Fulton County School Board;  
201 17th Street, NW Suite 1700  
Atlanta, Georgia 30363

Julia Bernath, Individual  
and as Member of Fulton County School Board;  
201 17th Street, NW Suite 1700  
Atlanta, Georgia 30363

Melody P. Bray, Brandon Moulard Charles Huddleston Attorney of Nelson Mullins Riley &  
Scarborough LLP 201 17th Street, NW Suite 1700  
Atlanta, Georgia 30363

Melanie Pickens, Throwbridge Individually and as a Former Teacher at Hopewell Middle School;

ATTN: Melanie Pickens

13060 Cogburn Rd

Milton, Georgia 30004

Katherine Dorn Durden , Individually and as a Teacher at Roswell High School; DR. 201 17th Street, NW Suite 1700 Atlanta, Georgia 30363

Vickie Perdue Scott, Individually and as Former Executive Director for Exceptional Children for Fulton County School District; 201 17th Street, NW Suite 1700 Atlanta, Georgia 30363

Paula Merritt, Individually and as Former Special Education Liaison for Fulton County School District; 201 17th Street, NW Suite 1700 Atlanta, Georgia 30363

Dorothy A. Pettes, Individually and as Special Education Coordinator; 201 17th Street, NW Suite 1700 Atlanta, Georgia 30363

Frances Boyd, Individually and as Former Principal of Hopewell Middle School; MOZLEY FINLAYSON & LOGGINS 1050 Crown Pointe Parkway Suite 1500 Atlanta, Georgia 30338

DR. Edward Spurka, Individual and as Former Principal of Roswell High School, 201 17th Street, NW Suite 1700 Atlanta, Georgia 30363


Jarrold H. Oxendine, Oxendine & Sauls and Oxendine Law, of 1325 Satellite Boulevard NW Bldg. 600, Suite 606 Suwanee, GA 30024C

Judge Henry Newkirk

4A/T-4655 Justice Center Tower  
185 Central Avenue SW  
Atlanta, GA 30303

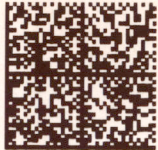
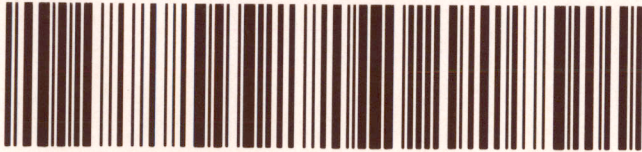
Judge John Mather  
244 Washington Street  
SW Suite 300 Atlanta, GA 30334

Respectfully Submitted,

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Ronald Anthony Hatcher  
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 Atlanta, GA

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 Richard B. Russell Federal Building and  
 United States Courthouse  
 75 Ted Turner Drive  
 Atlanta, Georgia 30303

